### COMMONWEALTH OF KENTUCKY

### BEFORE THE PUBLIC SERVICE COMMISSION

## In the Matter of:

INVESTIGATION CONCERNING THE PROPRIETY OF PROVISION OF INTERLATA SERVICES BY BELLSOUTH TELECOMMUNICATIONS, INC., PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996	) ) ) )	CASE NO. 2001-00105
PETITION OF BELLSOUTH TELECOMMUNICATIONS, INC. FOR THE ESTABLISHMENT OF A NEW PERFORMANCE PLAN	) )	CASE NO. 2004-00391

# ORDER

On April 3, 2009, Competitive Carriers of the South, Inc. ("CompSouth") moved for a one-week extension of time to file its reply in support of its objection to BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky's ("AT&T Kentucky") Force Majeure declaration of February 11, 2009. On March 11, 2009, the Commission issued a procedural schedule in this matter, wherein replies were to be filed by April 3, 2009. In support of its motion, CompSouth states that the parties are currently engaged in discussions and possible settlement negotiations related to the Force Majeure declaration. In its motion, CompSouth stated that the motion is not made for the purpose of delay and that AT&T Kentucky has agreed to CompSouth's request for a one-week extension.

Having reviewed the pleading and the arguments contained therein, the Commission finds that the motion for an extension of time shall be granted.

# IT IS THEREFORE ORDERED that

- 1. CompSouth's motion for extension of time is granted.
- 2. CompSouth shall have until April 10, 2009 to submit a reply in support of its objection to AT&T Kentucky's February 11, 2009 declaration of a Force Majeure Event.

By the Commission

**ENTERED** 

APR 0 9 2009

KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

Executive Director

Honorable Jonathon N Amlung Attorney at Law AMLUNG Law Offices 616 South 5th Street Louisville, KY 40202 William J Ellenberg II BellSouth Telecommunications, Inc. Suite 4300, BellSouth Center 675 West Peachtree Street, N.E. Atlanta, GA 30375 Honorable Wanda G Montano Vice President, Regulatory & Industry Affairs US LEC of North Carolina, LLC Morrocroft III 6801 Morrison Blvd. Charlotte, NC 28211

Honorable William R Atkinson Attorney, State Regulatory Sprint Communications Company L.P. c/o Sprint 4701 Mercantile Drive, North Fort Worth, TX 76137-3606 David Eppsteiner Attorney at Law AT&T Comunications of the South Central States 1230 Peachtree Street 4th Floor, Room 4W26 Atlanta, GA 30309 Katherine T Mudge DIECA Communications, Inc. dba Covad 7000 North MoPac Expressway Floor 2 Austin, TX 78731

James A Bellina President & CEO Dialog Telecommunications, Inc. 756 Tyvola Road Suite 100 Charlotte, NC 28217

Honorable C. Kent Hatfield Attorney at Law Stoll Keenon Ogden, PLLC 2000 PNC Plaza 500 W Jefferson Street Louisville, KY 40202-2828 Honorable John E Selent Attorney at Law Dinsmore & Shohl, LLP 1400 PNC Plaza 500 West Jefferson Street Louisville, KY 40202

Honorable Susan J Berlin Secretary/Treasurer MCI WorldCom 6 Concourse Parkway Suite 3200 Atlanta, GA 30328 Honorable Dennis G Howard II Assistant Attorney General Office of the Attorney General Utility & Rate 1024 Capital Center Drive Suite 200 Frankfort, KY 40601-8204 Liz Thacker SouthEast Telephone, Inc. 106 Power Drive P.O. Box 1001 Pikeville, KY 41502-1001

Honorable Douglas F Brent Attorney at Law Stoll Keenon Ogden, PLLC 2000 PNC Plaza 500 W Jefferson Street Louisville, KY 40202-2828 Honorable John N Hughes Attorney at Law 124 West Todd Street Frankfort, KY 40601 Honorable Katherine K Yunker Attorney At Law Yunker & Associates P. O. Box 21784 Lexington, KY 40522-1784

Ms. Joan A Coleman Vice President/Regulatory/External BellSouth Telecommunications, Inc. dba AT&T 601 West Chestnut Street, Room 408 Louisville, KY 40203 Honorable Mary K Keyer General Counsel/Kentucky BellSouth Telecommunications, Inc. dba AT&T 601 West Chestnut Street, Room 408 Louisville, KY 40203

Claire C Daly Director WorldCom Network Services, Inc. c/o MCI 6 Concourse Parkway Suite 3200 Atlanta, GA 30328 William J Maxwell President ICG Telecom Group, Inc. c/o Level 3 1025 Eldorado Boulevard Broomfield, CO 80021